

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

ROBERT C. GUILLOT
EDITH REBECCA YOUNG and
RCG ENTERPRISES, INC.

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:09cv000138-HTW-LRA

PHILLIP J. MARTIN, CROSSGATE CROSSING, LLC,
GULF CAPITAL HOLDINGS, LLC
BANCORP SOUTH, INC.,
BANKFIRST FINANCIAL SERVICES and
WORTHINGTON FINANCIAL HOLDINGS, INC

DEFENDANTS

AGREED ORDER OF DISMISSAL WITHOUT PREJUDICE

THIS MATTER came before the Court on the Ore Tenus Motion to Dismiss the Plaintiffs' Complaint Without Prejudice filed by the Plaintiffs, and Defendants, Bancorp South, Inc., Bankfirst Financial Services and Worthington Financial Holdings, Inc., respectively in this matter and the Court, having been advised that none of the parties have objection to the Dismissal Without Prejudice finds that the motion is well taken and should be granted.

IT IS THEREFORE, ORDERED AND ADJUDGED that the Plaintiffs' Complaint is hereby dismissed without prejudice.

SO ORDERED AND ADJUDGED this the 29th day of September, 2009.

s/ HENRY T. WINGATE
CHIEF UNITED STATES DISTRICT JUDGE

AGREED TO:

/s/ Bill Waller, Sr.

William L. Waller, Sr. (MSB# 6914)

Waller & Waller, Attorneys at Law

220 S. President Street (39201)

P.O. Box 4

Jackson, Mississippi 39205-004

Telephone: 601-354-5252

Facsimile: 601-354-2681

Attorney for Robert C. Guillot, Edith Rebecca Young and RCG Enterprises

/s/ Les Alvis

Less Alvis (MSB# 1548)

Riley, Caldwell, Cork & Alvis, P.A.

207 Court Street

P.O. Box 1836

Tupelo, Mississippi 38802

Telephone: 662-842-8945

Attorney for BankcorpSouth, Inc

/s/ Timothy L. Gowan

Timothy L. Gowan (MSB# 4925)

Gowan Law Office

300 South Jefferson Street

P.O. Box 401

Macon, Mississippi 39341

Telephone: 662-726-2000

Attorney for Bankfirst Financial Services

/s/ April D. Reeves

April D. Reeves (MSB# 100671)

Watkins Ludlam Winter & Stennis, P.A.

190 East Capitol Street (39201)

Suite 800

P.O. Box 427

Jackson, Mississippi 39205

Telephone: 601-949-4900

Facsimile: 601-949-4804

Attorney for Worthington Financial Holdings, Inc.

Thomas J. Costakis, admitted *pro hac vice*

Aaron R. Raff, admitted *pro hac vice*

Krieg DeVault LLP

One Indiana Square, Suite 2800

Indianapolis, Indiana 46204-2079

Telephone: 317-636-4341

Facsimile: 317-636-1507

CIVIL ACTION NO. 3:09cv000138-HTW-LRA

Agreed Order of Dismissal without Prejudice